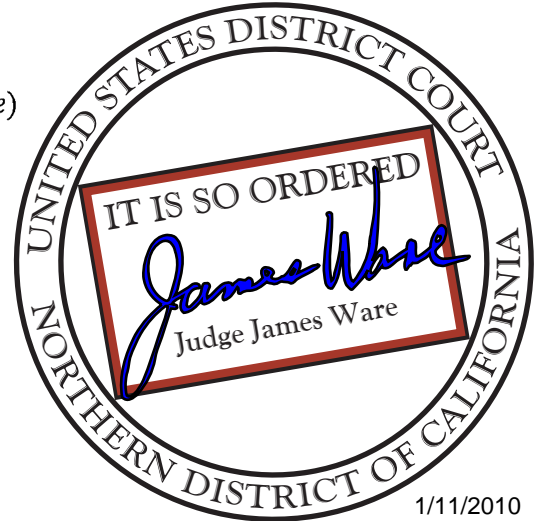


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Attorneys for Defendants
 BOULDER ENTITIES AND ROY S. MACDOWELL, JR.



**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION**

ANITA HUNTER, an individual; JOHNNA)
 BOZZA, an individual; CELLTEX SITE)
 SERVICES, LTD., a Texas Limited)
 Company; GRANDE INVESTMENT, LLC,)
 a Colorado Limited Liability Company;)
 QUIRK INFINIT, INC., a Massachusetts)
 corporation; et al.)

Plaintiffs,)

v.)

CITIBANK, N.A., a Nevada Corporation;)
 COUNTRYWIDE BANK, FSB, a Virginia)
 Corporation; BANK OF AMERICA)
 CORPORATION, dba BANK OF)
 AMERICA, N.A., a North Carolina)
 Corporation, et al.,)

Defendants.)

Case No. C 09-02079 JW
 (Related to Case No. C07-02795 JW)

Assigned to: Honorable James Ware

**JOINT STIPULATION AND
 [PROPOSED] ORDER TO MOVE
 THE HEARING DATE FOR
 THE BOULDER DEFENDANTS'
 MOTION TO DISMISS**

1 Whereas Counsel to the Defendants Boulder Capital, LLC, Boulder Columbus, LLC,
2 Boulder West Oaks, LLC, Boulder Holdings VI, LLC, Boulder Holdings X, LLC and Roy S.
3 MacDowell, Jr. ("Boulder Defendants"), Todd B. Gordon ("Mr. Gordon"), who is the only
4 lawyer who has previously appeared in Court for the Boulder Defendants on this matter and
5 is the author of their Motion to Dismiss, is expecting a second child on February 2, 2010 and
6 his wife is scheduled for a Cesarean Section on that same day and Mr. Gordon will need to
7 provide care for his wife and family, all of whom reside with him in Massachusetts, in the
8 week following the birth of his second child and Mr. Gordon will thus be unable to travel to
9 California for the hearing presently scheduled for February 8, 2010 and, accordingly, the
10 Plaintiffs have agreed to support Mr. Gordon's request to the Court that the Boulder
11 Defendants be excused from the February 8, 2010 hearing date in order to accommodate the
12 personal circumstances of the Boulder Defendants' counsel with the hearing on the Boulder
13 Defendants' Motion to Dismiss re-scheduled to another date convenient to the Court and the
14 parties.

17 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned
18 counsel, that the hearing date for Defendants BOULDER CAPITAL, LLC, BOULDER
19 COLUMBUS, LLC, BOULDER WEST OAKS, LLC, BOULDER HOLDINGS, VI, LLC,
20 BOULDER HOLDINGS X, LLC and ROY S. MACDOWELL, JR.'S Motion to Dismiss
21 will be moved from February 8, 2010 to March 22, 2010. A proposed order is attached.
22
23
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28

1 Dated: January 11, 2010

THE GORDON LAW FIRM LLP

2 By: /s/ Todd B. Gordon
3 Stephen F. Gordon (*pro hac vice*)
4 Todd B. Gordon (*pro hac vice*)

5 and --

6 RIEDL, MCCLOSKEY & WARING LLP
7 Michael Drury
8 Jeffrey N. Labovitch

9 Attorneys for Defendants
10 BOULDER CAPITAL, LLC, BOULDER
11 COLUMBUS LLC, BOULDER WEST OAKS,
12 LLC, BOULDER HOLDINGS, VI, LLC,
13 BOULDER HOLDINGS X, LLC AND ROY S.
14 MACDOWELL, JR.

15 Dated: January 11, 2010

HOLLISTER & BRACE

16 By: /s/ Michael P. Denver
17 Robert L. Brace
18 Michael P. Denver

19 FOLEY, BEZEK, BEHLE & CURTIS, LLP
20 Thomas G. Foley, Jr.
21 Robert Curtis

22 Attorneys for Plaintiffs and the Class

23 ZELLE MCDONOUGH & COHEN LLP
24 Anthony R. Zelle
25 Brian McDonough
26 Thomas Evans

27 Attorneys for Plaintiff QUIRK INFINITI, INC.
28 and the Class